

CITY CLERK/HUMAN RESOURCES DEPARTMENT

May 20, 2004

VIA CERTIFIED/RETURN RECEIPT REQUESTED:

KY. Dept. for Local Government 1024 Capital Center Drive Frankfort, KY 40601

Secretary of State 700 Capital Avenue, Suite 152 Frankfort, KY 40601

BOONE COUNTY CLERK Marilyn Rouse P.O. Box 874 Burlington, KY 41042

VIA FIRST CLASS MAIL:

Boone County Judge/Executive Gary Moore P.O. Box 900 Burlington, KY 41005

Kevin Costello, Executive Director (C/o) Vicki Myers Boone County Planning Commission 2995 Washington Street Burlington, KY 41005

Bob Townsend, Director Florence Public Services Florence Government Center Florence, KY 41042

Peter Glenn, Project Manager Florence Public Services Florence Government Center Florence, KY 41042

Police Chief Tom Kathman Florence Police Department Florence Government Center Florence, KY 41042 TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY A STATE

Fire/EMS Chief Jim McMillen Florence Fire/EMS Department Fire Station 3, 1152 Weaver Road Florence, KY 41042

Finance Director Linda Chapman Florence Finance Department Florence Government Center Florence, KY 41042

City Attorney Hugh O. Skees 7699 Ewing Boulevard Florence, KY 41042

Director Boone Co. Public Safety Communications Center Florence Government Center Florence, KY 41042

BOONE COUNTY SHERIFF Mike Helmig P.O. Box 198 Burlington, KY 41005

Boone Co. Property Valuation Administrator Ron Burch P.O. Box 388 Burlington, KY 41005

Boone County GIS 2995 Washington Street Burlington, KY 41005

Jim Key, Chief Building Official Boone County Building Inspection Office 5958 Garrard Street Burlington, KY 41005

Dan Maher, Director Boone County Emergency Management 6024 Rogers Lane Burlington, KY 41005

Bill Viox, City Engineer Viox & Viox Inc. 466 Erlanger Road Erlanger, KY 41018 Boone County Board Of Education 8330 U.S. 42 Florence, KY 41042

Northern Kentucky Area Development District 22 Spiral Drive Florence, KY 41042

CSI Waste Services of Greater Cincinnati Att: Tim Trost 11563 Mosteller Road Cincinnati, OH 45241

CINCINNATI BELL TELEPHONE

Att: Julie Orick 102-1100 201 East Fourth Street Cincinnati, OH 45201

CINERGY

Att: Jim Gillespie 424 Gest Street, Room 317 Cincinnati, OH 45202

OWEN ELECTRIC COOPERATIVE, INC.

Att: Bill Prather 510 South Main Owenton, KY 40359

INSIGHT COMMUNICATIONS

Att: Linda Begnoche 180 Barnwood Drive Edgewood, KY 41017

Kentucky League of Cities 101 E. Vine Street, Suite 600 Lexington, KY 40507-3700

Mr. Gene Roland Address Management Systems U. S. Postal Service 1591 Dalton Street Cincinnati, OH 45234-9321

Postmaster Nancy Huber FLORENCE POST OFFICE 7101 Turfway Road Florence, KY 41042 J.T. Wilson & Etta Wilson 9230 Gunpowder Road Florence, KY 41042

Richard Harvey, Jr. & Barbara D. Harvey 9204 Gunpowder Road Florence, KY 41042

Paul & Carol Genever 9300 Gunpowder Road Florence, KY 41042

Dear Sirs and/or Madams:

Enclosed please find certified copies of City of Florence, Kentucky Ordinance No. O-6-04 annexing certain territory consisting of a parcel of approximately 21.1 acres located on the east side of Gunpowder Road, adjacent to the City limits of Florence. This property was annexed at the request of J.T. Wilson and Etta Wilson, Richard Harvey, Jr. and Barbara D. Harvey, Paul Genever and Carol Genever, owner(s). Exhibits A, the legal description and B, the plat map of said property, are included herewith. According to the owners, there are six (6) registered voters residing on these properties at present: J.T. Wilson and Etta Wilson, both of 9230 Gunpowder Road, Florence, KY 41042; Richard Harvey, Jr. and Barbara D. Harvey, both of 9204 Gunpowder Road, Florence, KY 41042; and Paul and Carol Genever, both of 9300 Gunpowder Road, Florence, KY 41042.

First reading of Ordinance No. O-6-04 was held on February 24, 2004. Second reading was held on March 9, 2004, and the full Ordinance was published in the *Boone County Recorder* on March 18, 2004 at which time the Ordinance became statutorily official.

If you require additional information, please contact me.

Sincerely,

Joseph A. Christofield, City Clerk

Soul a. Cl

| DATE May 25, 2004 |
|--|
| TREY GRAYSON SECRETARY OF STATE COMMONWEALTH OF KENTUCK! |

ORDINANCE NO. C

AN ORDINANCE ANNEXING CERTAIN TERRITORY CONSISTING OF A PARCEL OF APPROXIMATELY 21.1 ACRES LOCATED ON THE EAST SIDE OF GUNPOWDER ADJACENT TO THE CITY LIMITS. (WILSON/HARVEY/GENEVER ROAD, PROPERTY)

WHEREAS, J.T. Wilson and Etta A. Wilson, Richard Harvey, Jr. and Barbara D. Harvey, Paul Genever and Carol Genever, being the owners of record of the hereinafter described territory (the "territory"), have requested that the City of Florence, Kentucky (the "City") annex the territory and, pursuant to K.R.S. 81A.412, the owners have given written consent to such

WHEREAS, the City has determined that it is desirable to annex the territory which is contiguous to the boundaries of the City, and

WHEREAS, pursuant to K.R.S. 100.209(1) the City makes the election that after annexation the territory shall remain subject to the same land use restrictions as applied to it prior to annexation until such restrictions are changed in accordance with K.R.S. Chapter 100.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

SECTION I

The City finds that the hereinafter described unincorporated territory meets the requirements of K.R.S. 81A.410 and is as follows:

- Is contiguous to the boundaries of the City, and (a.)
- Is urban in character and suitable for development for urban purposes without (b.) unreasonable delay, and
 - Is not included within the boundary of another incorporated city.

SECTION II

That the territory, described in Exhibit "A" and shown on Exhibit "B" each of which is attached hereto and incorporated herein by reference, shall be and the same is hereby annexed to the City of Florence, Kentucky.

SECTION III

The owners of record of the territory have filed with the City written consent to this annexation under K.R.S. 81A.412 and therefore, the following do not apply to this annexation: (a) the notification ordinance required by K.R.S. 81A. 420(1); (b) the notice requirement of K.R.S. 81A.425; and (c) the waiting period of K.R.S. 81A.420(2).

SECTION IV

Pursuant to K.R.S. 100.209(1) the territory shall, after annexation, remain subject to the same land use restrictions as applied to it prior to annexation, until those restrictions are changed in accordance with K.R.S. Chapter 100.

SECTION V

This ordinance shall be published in full. PASSED AND APPROVED ON FIRST READING THIS 24 DAY OF February, 2004. PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 9th DAY OF MARCH , 2004.

ian & Whale

ATTEST:

I, Joseph A. Christofield, City Clerk for the City of Florence, Kentucky, do hereby certify that the foregoing is a true and correct copy of as same appears in the official records Ordinace 0-6-04 of my office.

Dated this 17th day of MAY

Florence City Clerk

CITY OF FLORENCE, KENTUCKY

READING SUMMARY

ORDINANCE NO. 0-6-04

AN ORDINANCE ANNEXING CERTAIN TERRITORY CONSISTING OF A PARCEL OF APPROXIMATELY 21.1 ACRES LOCATED ON THE EAST SIDE OF GUNPOWDER ROAD, ADJACENT TO THE CITY LIMITS. (WILSON/HARVEY/GENEVER PROPERTY)

SUMMARY

This Ordinance annexes and makes a part of the City a tract of approximately 21.1 acres located on the east side of Gunpowder Road, adjacent to the City limits.

This annexation is in response to a request by J.T. Wilson and Etta A. Wilson, Richard Harvey, Jr. and Barbara D. Harvey, Paul Genever and Carol Genever, the owners, to have the property become part of the City. The annexation will be complete upon second reading and publication of this Ordinance.

After annexation the property will remain subject to the same land use restrictions as applied prior to annexation.

CERTIFICATION

I hereby certify that the foregoing is a summary of the contents of the Ordinance titled above and that it was prepared by me this 14th day of 2004, and I am an attorney licensed to practice law in the Commonwealth of Kentucky.

HUGH O' SKEES, KBA#64730 SKEES, WILSON & DILLON, PLLC 7699 Ewing Blvd., P.O. Box 756 Florence, KY 41042-0756

Phone: (859) 371-7407 Fax: (859) 371-9872



VIOX&VIOX, INC.

Engineers · Surveyors · Landscape Architects

February 17, 2004

PARCEL TO BE ANNEXED BY
THE CITY OF FLORENCE
CONTAINING 21.1 ACRES, MORE OR LESS

Planning

Design

Surveying

Beginning at a point in the easterly right-of-way line of Gunpowder Road at the corner of Gunpowder Properties, LLC (Deed Book 736, page 193) and in the southerly line of the City of Florence boundary; thence with the easterly right-ofway line of Gunpowder Road S 10°46'53" E a distance of 11.92 feet to a point; thence S 17°04'36" W a distance of 24.76 feet to a point; thence S 36°28'15" E a distance of 33.24 feet to a point; thence S 46°09'12" E a distance of 40.18 feet to a point; thence S 19°27'17" E a distance of 51.91 feet to a point; thence S 51°19'04" W a distance of 18.77 feet to a point; thence S 36°28'14" E a distance of 63.14 feet to a point; thence S 40°49'39" E a distance of 264.88 feet to a point; thence S 37°27'53" E a distance of 90.87 feet to a point; thence S 29°10'33" E a distance of 69.27 feet to a point; thence S 18°42'40" E a distance of 82.44 feet to a point; thence S 11°04'18" E a distance of 153.78 feet to a point; thence S 07°04'17" E a distance of 103.65 feet to a point; thence S 05°01'38" E a distance of 159.53 feet to a point; thence S 07°43'48" E a distance of 291.09 feet to a point; thence S 13°22'46" E a distance of 136.39 feet to a point; thence S 19°43'00" E a distance of 102.63 feet to a point; thence S 26°03'03" E a distance of 92.67 feet to a point; thence S 32°57'26" E a distance of 70.84 feet to a point; thence S 39°03'48" E a distance of 294.11 feet to a point; thence S 32°03'15" E a distance of 191.51 feet to a point; thence S 27°25'42" E a distance of 290.78 feet to a point; thence S 31°05'53" E a distance of 151.69 feet to a point; thence S 23°09'00" E a distance of 156.38 feet to a point; thence S 14°50'40" E a distance of 73.24 feet to a point; thence S 10°47'16" E a distance of 99.34 feet to a point; thence leaving said rightof-way line N 73°28'29" E a distance of 410.35 feet to a point; thence N 14°28'52" W a distance of 111.30 feet to a point; thence N 71°43'44" E a distance of 150.12 feet to a point; thence N 05°57'42" W a distance of 138.08 feet to a point; thence N 72°02'44" E a distance of 757.03 feet to a point; thence S 03°46'55" E a distance of 946.47 feet to a point; thence S 77°50'45" W a distance of 461.53 feet to a point; thence N 13°35'00" W a distance of 232.82 feet to a point; thence S 77°38'45" W a distance of 207.17 feet to a point; thence S 73°26'44" W a distance of 554.46 feet to a point in the centerline of Gunpowder Road; thence with said centerline N 08°00'06" W a distance of 174.41 feet to a point; thence N 10°29'38" W a distance

466 Erlanger Road Erlanger, Kentucky 41018 Tel: 859-727-3293 Fax: 859-727-8452 e-mail: viox@nkol.net



VIOX&VIOX, INC.

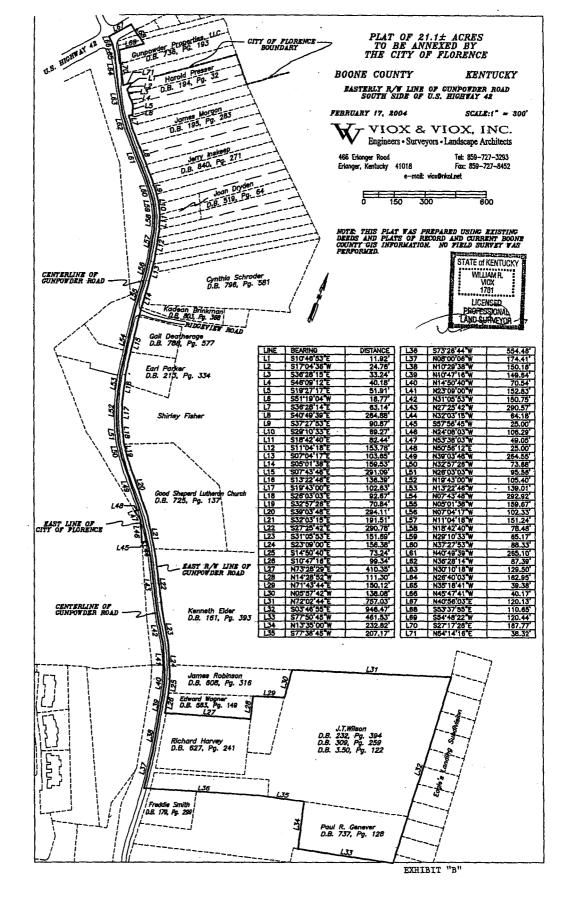
Engineers · Surveyors · Landscape Architects

Planning

Design

Surveying

of 150.18 feet to a point; thence N 10°47'16" W a distance of 149.64 feet to a point; thence N 14°50'40" W a distance of 70.54 feet to a point; thence N 23°09'00" W a distance of 152.83 feet to a point; thence N 31°05'53" W a distance of 150.75 feet to a point; thence N 27°25'42" W a distance of 290.57 feet to a point; thence N 32°03'15" W a distance of 64.18 feet to a point; thence leaving said centerline S 57°56'45" W a distance of 25.00 feet to a point in the east line of the City of Florence Boundary; thence with said east line N 24°08'03" W a distance of 106.29 feet to a point; thence N 53°38'03" W a distance of 49.05 feet to a point; thence leaving said point N 50°56'12" E a distance of 25.00 feet to a point in the centerline of Gunpowder Road; thence with said centerline N 39°03'48" W a distance of 264.55 feet to a point; thence N 32°57'26" W a distance of 73.68 feet to a point; thence N 26°03'03" W a distance of 95.56 feet to a point; thence N 19°43'00" W a distance of 105.40 feet to a point; thence N 13°22'46" W a distance of 139.01 feet to a point; thence N 07°43'48" W a distance of 292.92 feet to a point; thence N 05°01'38" W a distance of 159.67 feet to a point; thence N 07°04'17" W a distance of 102.33 feet to a point; thence N 11°04'18" W a distance of 151.24 feet to a point; thence N 18°42'40" W a distance of 78.48 feet to a point; thence N 29°10'33" W a distance of 65.17 feet to a point; thence N 37°27'53" W a distance of 88.33 feet to a point; thence N 40°49'39" W a distance of 265.10 feet to a point; thence N 36°28'14" W a distance of 87.39 feet to a point; thence N 30°10'18" W a distance of 129.50 feet to a point; thence N 26°40'03" W a distance of 162.95 feet to a point; thence N 35°18'41" W a distance of 39.38 feet to a point; thence N 45°47'41" W a distance of 40.17 feet to a point in the centerline of U.S. Highway 42; thence with said centerline N 40°56'03" E a distance of 120.13 feet to a point; thence leaving said centerline S 53°37'55" E a distance of 110.65 feet to a point; thence S 54°48'22" W a distance of 120.44 feet to a point; thence S 27°17'28" E a distance of 167.77 feet to a point; thence N 54°14'16" E a distance of 38.32 feet to the point of beginning containing 21.1 acres more or less.



CONSENT TO ANNEXATION BY THE CITY OF FLORENCE, KENTUCKY

The undersigned hereby consent to and request that the City of Florence, Kentucky, annex the real property which is described and shown on the legal description and plat which are attached hereto, and in connection therewith, the following representations are made to the City:

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|----------------------|---|-------------|
| a. | All of the owners of record of said real property have signed below; | |
| b. | The real property meets the requirements of K.R.S. 81A.410; | |
| c. | Such annexation is consented to under the provisions of K.R.S. 81A.412 | and it is |
| | acknowledged that by reason of such consent, the City shall not be require | ed to (1) |
| | enact the notification ordinance of K.R.S. 81A.421(1); or (2) to comply | with the |
| | notice requirements of K.R.S. 81A.425; or (3) to wait the 60 day period prov | rided for |
| | in K.R.S. 81A.420(2). The City may accomplish this annexation by the en | actment |
| | and publication of a single ordinance. | |
| ursuant to K. | R.S. 100.209 as it affects zoning of such real estate after annexation, it is | hereby |
| equested: (che | | |
| - · · · · · · · | | |
| a. | That such real estate shall remain subject to the same land use restrict | ctions as |
| | applied to it prior to annexation; or | |
| b. | That the City amend its Comprehensive Plan and official Zoning Ma | p so that |
| | after annexation, such real property will have the following zone: | |
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| OTE, This - | consent to annexation must be signed by all owners of record. If the own | nore are |
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| | iduals, their spouses must sign. If the owners are corporations, LLC's, parts | |
| - | orized officers must sign, and a copy of the resolution authorizing execution | musi ve |
| tached. | | |
| a. b. c. d. | A plat showing an accurate map of the real estate (K.R.S. 81A.470(1)); an A metes and bounds legal description of the real estate (K.R.S. 81A.470(1)) Copies of the document(s) from which owners source of title is derived; an A list of the names and addresses of those property owners and registered vo reside within the boundaries of the real property (K.R.S. 81A.475). |); and d |
| | reside within the boundaries of the real property (M.M.B. 0171.475). | |
| | | |
| J.T. W | Julian 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. | 126,09 |
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| rinted/Typed | | |

HAMURY
1/ GOAL
LEGAL TO FOILOW

CONSENT TO ANNEXATION BY THE CITY OF FLORENCE, KENTUCKY

| The undersigned hereby consent to and request that the City of Florence, Kentucky, annex the real property which is described and shown on the legal description and plat which are attached hereto, and in connection therewith, the following representations are made to the City: |
|--|
| a. All of the owners of record of said real property have signed below; b. The real property meets the requirements of K.R.S. 81A.410; |
| c. Such annexation is consented to under the provisions of K.R.S. 81A.412 and it is acknowledged that by reason of such consent, the City shall not be required to (1) enact the notification ordinance of K.R.S. 81A.421(1); or (2) to comply with the notice requirements of K.R.S. 81A.425; or (3) to wait the 60 day period provided for in K.R.S. 81A.420(2). The City may accomplish this annexation by the enactment and publication of a single ordinance. |
| Pursuant to K.R.S. 100.209 as it affects zoning of such real estate after annexation, it is hereby requested: (check one) |
| a. That such real estate shall remain subject to the same land use restrictions as applied to it prior to annexation; or b. That the City amend its Comprehensive Plan and official Zoning Map so that after annexation, such real property will have the following zone: |
| NOTE: This consent to annexation must be signed by all owners of record. If the owners are married individuals, their spouses must sign. If the owners are corporations, LLC's, partnerships, etc., the authorized officers must sign, and a copy of the resolution authorizing execution must be attached. |
| The following documents MUST be attached to this Consent. |
| a. A plat showing an accurate map of the real estate (K.R.S. 81A.470(1)); and b. A metes and bounds legal description of the real estate (K.R.S. 81A.470(1)); and c. Copies of the document(s) from which owners source of title is derived; and d. A list of the names and addresses of those property owners and registered voters who reside within the boundaries of the real property (K.R.S. 81A.475). |
| Richard Harris Jr Richard A. Have Or 1/26/04 |
| Printed/Typed Name of Owner Signature Date |
| Address Phone |
| BARBARA D. HARVEY Sola CH |
| Printed/Typed Name of Owner Signature Date |
| 9204 (zurowse-RO. Florece K. 859-746.0018 |
| Address () Phone |
| |
| Printed/Typed Name of Owner Signature Date |
| |

Phone

Address

17- 2.46 AC 10-000 156AC TO FUSON

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| a. | All of the owner | s of record of | said real prot | perty have s | igned below: |
|----|------------------|----------------|----------------|--------------|--------------|

b. The real property meets the requirements of K.R.S. 81A.410;

c. Such annexation is consented to under the provisions of K.R.S. 81A.412 and it is acknowledged that by reason of such consent, the City shall not be required to (1) enact the notification ordinance of K.R.S. 81A.421(1); or (2) to comply with the notice requirements of K.R.S. 81A.425; or (3) to wait the 60 day period provided for in K.R.S. 81A.420(2). The City may accomplish this annexation by the enactment and publication of a single ordinance.

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| \/ | |
|----|--|
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| | applied to it prior to annexation; or |
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| | after annexation, such real property will have the following zone: |
| | |

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- a. A plat showing an accurate map of the real estate (K.R.S. 81A.470(1)); and
- b. A metes and bounds legal description of the real estate (K.R.S. 81A.470(1)); and
- c. Copies of the document(s) from which owners source of title is derived; and
- d. A list of the names and addresses of those property owners and registered voters who reside within the boundaries of the real property (K.R.S. 81A.475).

| PAUL GENEVER F | Sal Jenery | |
|-----------------------------|---------------|------------|
| Printed/Typed Name of Owner | Signature | Date |
| 9300 Gun Powser Rd. | 859-283-08 | 18 1-20-04 |
| Address | Phone | |
| CAROL GENEVOR | Carol Generie | |
| Printed/Typed Name of Owner | Signature | Date |
| 9300 GUNPOWDER PD | 859, 283-0818 | 1-20-04 |
| Address | Phone | |
| | | |
| Printed/Typed Name of Owner | Signature | Date |
| | | |
| Address | Phone | |
| | | |